

**Animal and Plant Health Inspection Service
Wildlife Services**

National Wildlife Services (WS) Advisory Committee

MEMBERSHIP BALANCE PLAN

1. Committee's Official Designation

National Wildlife Services (WS) Advisory Committee

2. Authority

The APHIS WS program operates under the U.S. Code: Title 7 Agriculture Act of March 2, 1931, (7 U.S.C. 426 – 426b) as amended, and the Act of December 22, 1987 (7 USC 426c).

3. Objectives and Scope of Activities

The purpose of the Committee is to advise the Secretary of Agriculture on policies and program issues necessary to manage damage caused by depredating wildlife to protect America's agricultural, industrial, and natural resources and to safeguard public health and safety. The Committee is being established in accordance with the provisions of the Federal Advisory Committee Act (FACA), as amended, 5 U.S.C.

4. Points of View Needed for the Committee

The duties of the Committee involve advising the Secretary on: (a) overall policy and guidance for the operation of the WS program; (b) resources to accomplish the WS mission; (c) impacts of depredating wildlife; (d) public health and safety problems created by birds and other wildlife; and (e) research activities and priorities to address wildlife damage management needs.

Every effort will be made to ensure that the membership of this Committee is balanced, nevertheless, USDA recognizes that committee membership is not static and may change, depending on the work of the committee.

5. Other Balance Factors

Equal opportunity practices in accordance with USDA policies will be followed in all appointments to the Committee. To ensure that the recommendations of the Committee

have taken into account the needs of the diverse groups served by USDA, membership shall include to the extent possible, individuals with demonstrated ability to represent minorities, women and persons with disabilities.

6. Candidate Identification Process

Membership will be composed of twenty (20) persons representing a broad spectrum of agricultural, environmental, conservation, academic, animal welfare, and related interests.

Once candidates have been identified, their names and background data are submitted to the USDA White House Liaison's office for vetting. The vetting process includes a background check to determine if any of the candidates have a conflict of interest that would prohibit them from serving on the committee due to criminal or ethical violations.

7. Subcommittee Balance

The Committee may request establishment and use subcommittees which are created by the Agency or Designated Federal Official (DFO). Subcommittees will report back to the Committee, and will not provide advice or work products directly to the Department or Agency.

8. Other

N/A

9. Date Prepared:

October 2015

10. Legal Background

Section 5(b)(2) of the FACA requires "...the membership of the advisory committee to be fairly balanced in terms of the points of view represented and the functions to be performed by the advisory committee." The corresponding FACA regulations reiterate this requirement at 41 CFR § 102-3.30(c), and, for discretionary committees being established, renewed, or reestablished, require agencies to provide a description of their plan to attain fairly balanced membership during the charter consultation process with GSA (41 CFR § 102-3.60(b)(3)). The document created through this process is the Membership Balance Plan. The regulations further clarify that (1) the purpose of the membership balance plan is to ensure "that, in the selection of members for the advisory committee, the agency will consider a cross-section of those directly affected, interested, and qualified, as appropriate to the nature and functions of the advisory committee;" and (2) "[a] advisory committees requiring technical expertise should include persons with demonstrated professional or personal qualifications and experience relevant to the functions and tasks to be performed." (41 CFR § 102-3.60(b)(3)).